



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPCRL/ 1658/2025</u> Mahesh Kumar Petitioner Versus State Of Uttarakhand Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Shashikant Shandilya, learned counsel for the petitioner. 2. Mr. Akshay Latwal, learned A.G.A. along with Jai Prakash Kandpal, learned Brief Holder for the State. 3. Ms. Nancy Singh, learned counsel for respondent nos.3 & 4. 4. By means of the present criminal writ petition filed under Article 226 of the Constitution of India, the petitioner seeks issuance of a writ, order or direction in the nature of certiorari for quashing the Case Crime/F.I.R. No. 0197 of 2025 registered under Sections 115(2), 140(3), 351(2) and 352 of the B.N.S. at Police Station Ranipur, District Haridwar. 5. Learned counsel appearing for the petitioner would submit that the impugned F.I.R. has been lodged by respondent no. 4 alleging, inter alia, that on 13.05.2025, the father-in-law of respondent no. 4/informant returned home and made a statement before the police that he owned 12 bighas of agricultural land and that there existed a dispute with the petitioner in respect of the said land. It is further alleged that on 09.05.2025, the petitioner, in connivance



		with certain unknown persons, had kidnapped him in connection with the aforesaid land dispute. 6. Learned counsel would submit that the allegations contained in the impugned F.I.R. are wholly false, frivolous and an abuse of the process of law; that, in the year 2010, the petitioner and respondent no. 3 had entered into an agreement to sell in respect of certain immovable property, pursuant to which the petitioner paid a substantial advance consideration to respondent no. 3; that, however, despite receipt of the advance amount, respondent no. 3 neither executed the sale deed in favour of the petitioner nor refunded the amount received; that, consequently, a civil dispute arose between the parties concerning the enforcement of the agreement and recovery of the advance consideration; that, with a view to exert undue pressure upon the petitioner and to avoid his civil liabilities arising out of the said transaction, respondent no. 4 has lodged the present F.I.R. by giving a purely civil dispute the colour of a criminal offence. 7. Learned counsel would further submit that, even if the allegations contained in the impugned F.I.R. are accepted in their entirety, no offence, much less the offence alleged, is made out against the petitioner. It is contended that the prosecution story is inherently improbable and stands falsified as the agreement executed between the parties on the very date of the alleged occurrence, which completely contradict the allegation of kidnapping and demonstrates that the
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		criminal proceedings have been initiated with an oblique motive. 8. Learned counsel for the petitioner would further submit that, during the pendency of the present writ petition, the parties have amicably resolved all their disputes. It is further submitted that a Compounding Application being I.A. No. 1 of 2026, duly supported by separate affidavits sworn by the petitioner as well as respondent nos.3 & 4, have been filed. In the said application, both parties have categorically stated that they have voluntarily and amicably settled all their disputes without any coercion, undue influence or pressure, and that they do not wish to pursue the criminal proceedings any further, as the continuation thereof would seriously prejudice their peaceful matrimonial life. 9. Learned State Counsel vehemently opposes the Compounding Application on the ground that some of the offences alleged against the petitioner are non-compoundable offence. However, he does not dispute the factual position regarding the filing of the compromise application. 10. Learned counsel appearing on behalf of respondent nos.3 & 4 fairly submits that the dispute between the parties has been amicably resolved. He does not dispute the submissions advanced on behalf of the petitioner and states that respondent nos.3 & 4 have no objection if the impugned F.I.R. and all consequential proceedings arising therefrom are quashed in view of the amicable settlement. 11. The petitioner as well as respondent nos.3 & 4 are present before this Court
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			though Video Conferencing and have been duly identified by their respective learned counsel. Upon interaction with the Court, respondent nos.3 & 4 have categorically stated that the dispute has amicably settled between them and they have no objection if the impugned F.I.R. and all consequential proceedings arising therefrom are quashed. They have also affirmed that the compromise has been entered into voluntarily, of their own free will, and without any coercion, inducement or undue influence. 12. Having heard learned counsel for the parties, perused the material available on record, and considered the Compounding Application (I.A. No. 1 of 2026) along with the affidavits filed in support thereof, this Court is satisfied that the parties have voluntarily and amicably settled all their inter se disputes. The petitioner and respondent nos.3 & 4, who are present before the Court and have been duly identified by their respective learned counsel, have unequivocally affirmed the compromise, therefore, continuation of the criminal proceedings would serve no useful purpose. 13. The Hon'ble Supreme Court, in <i>Gian Singh v. State of Punjab</i>, (2012) 10 SCC 303, <i>Narinder Singh v. State of Punjab</i>, (2014) 6 SCC 466, and <i>State of Madhya Pradesh v. Laxmi Narayan</i>, (2019) 5 SCC 688, has authoritatively held that the High Court, in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India and its inherent powers to secure the ends of justice, may quash criminal proceedings arising out of private and personal
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			disputes where the parties have amicably settled their differences and the possibility of conviction is remote, provided the offences are not heinous in nature or such as have a serious impact on society at large. 14. In the facts of the present case, having regard to the nature of the allegations contained in the impugned F.I.R., the voluntary settlement arrived at between the parties, the categorical statement made by respondent no.3 & 4 before this Court affirming the compromise, and the principles laid down by the Hon'ble Supreme Court in the aforesaid decisions, this Court is of the considered opinion that continuation of the criminal proceedings would serve no useful purpose and would amount to an abuse of the process of law. The compromise appears to be genuine, voluntary and free from any element of coercion or undue influence. 15. Accordingly, the Compounding Application (I.A. No. 1 of 2026) stands allowed. Consequently, the First Information Report being Case Crime/F.I.R. No. 0197 of 2025 registered at Police Station Ranipur, District Haridwar, along with all consequential proceedings arising therefrom, is hereby quashed. 16. The criminal writ petition is, accordingly, allowed. 17. Pending applications, if any, also stand disposed of accordingly.
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(Alok Mahra, J.)
14.07.2026